

APPLICANT(S): IDAN, Gavriel J.  
SERIAL NO.: 10/046,540  
FILED: January 16, 2002  
Page 6

### REMARKS

The present Amendment and Response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

### Status of Claims

Claims 1-52 are pending in the application. Claims 1-52 have been rejected and are herein canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicant reserves all rights in these claims to file divisional and/or continuation patent applications.

New claims 53-76 have been added in order to further define what the Applicant considers to be the invention. Applicant respectfully asserts that no new matter has been added.

### CLAIM REJECTIONS

#### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-6, 15, 22, 27, 28 and 43-47 under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,330,464 to Colvin, Jr. et al. (Colvin) in view of U.S. Patent No. 5,993,378 to Lemelson.

Applicant respectfully traverses the rejection of claims 1-6, 15, 22, 27, 28 and 43-47, said claims having been cancelled, Applicant respectfully asserts the rejection is moot.

In the Office Action, the Examiner rejected claims 1-2, 7-18, 21-38, and 40-46 under 35 U.S.C. § 103(a), as being unpatentable over WO 01/53792 to Given Imaging Ltd. (Given) in view of Colvin and further in view of Lemelson.

APPLICANT(S): ID DAN, Gavriel J.  
SERIAL NO.: 10/046,540  
FILED: January 16, 2002  
Page 7

Applicant respectfully traverses the rejection of claims 1-2, 7-18, 21-38, and 40-46 under 35 U.S.C. § 103(a) over Given in view of Colvin and further in view of Lemelson. Claims 1-2, 7-18, 21-38, and 40-46 have been cancelled, therefore Applicant respectfully asserts the rejection is moot.

In the Office Action, the Examiner rejected claims 19, 20, 38 and 39 under 35 U.S.C. § 103(a), as being unpatentable over Colvin in view of Given and further in view of Lemelson.

Applicant respectfully traverses the rejection of claims 19, 20, 38 and 39 under 35 U.S.C. § 103(a) over Colvin in view of Given and further in view of Lemelson. Claims 19, 20, 38 and 39 have been cancelled, therefore Applicant respectfully asserts the rejection is moot.

In the Office Action, the Examiner rejected claims 48-52 under 35 U.S.C. § 103(a), over Lemelson in view of Given.

Applicant respectfully traverses the rejection of claims 48-52 over Lemelson in view of Given. Claims 48-52 have been cancelled, therefore Applicant respectfully asserts the rejection is moot.

#### New Claims

Applicant has added new claims 53-76.

Applicant's new independent claim 53 includes, inter alia a device with an interaction chamber and an imager "wherein said interaction chamber and said imager are positioned behind an optical window". Neither Lemelson nor Colvin nor the other prior art of record teach, alone or in combination, an interaction chamber and an imager "positioned behind an optical window". Applicant therefore asserts that new independent claim 53 is neither anticipated nor made obvious by the prior art of record and is therefore allowable over the cited prior art of record. New dependent claims 54-68, depend directly or indirectly from independent claim 53, include the limitations of claim 53, and are neither anticipated nor made obvious by the prior art of record. Dependent claims 54-68 are therefore allowable.

APPLICANT(S): IDAN, Gavriel J.  
SERIAL NO.: 10/046,540  
FILED: January 16, 2002  
Page 8

Applicant's new independent claim 69 includes, inter alia an interaction chamber and an imager "wherein said interaction chamber and said imager are behind an optical window". The prior art of record does not teach an interaction chamber and an imager "wherein said interaction chamber and said imager are behind an optical window". Applicant therefore asserts that new independent claim 69 is neither anticipated nor made obvious by the prior art of record and is therefore allowable. New dependent claims 70 and 71, depend directly from independent claim 69, include the limitations of allowable claim 69, and are neither anticipated nor made obvious by the prior art of record. Applicant therefore asserts that dependent claims 70 and 71 are allowable.

Applicant's new independent claim 72 includes, inter alia an "interaction chamber being contained within a housing and behind the optical window" which is not taught in the prior art of record. Applicant asserts that new independent claim 72 is neither anticipated nor made obvious by the prior art of record and is therefore considered allowable over the cited prior art of record. New dependent claims 73-76, depend directly from independent claim 72, include the limitations of claim 72, and are neither anticipated nor made obvious by the prior art of record. Applicant therefore asserts that dependent claims 73-76 are allowable.

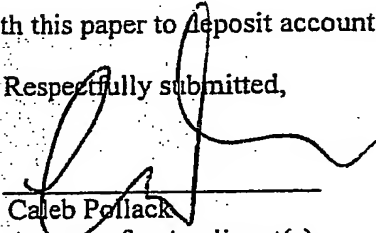
In view of the foregoing amendments and remarks, the new claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

APPLICANT(S): IDAN, Gavriel J.  
SERIAL NO.: 10/046,540  
FILED: January 16, 2002  
Page 9

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 05-0649.

Respectfully submitted,

  
Caleb Pollack  
Attorney for Applicant(s)  
Registration No. 37,912

Dated: January 23, 2005

**Eitan, Pearl, Latzer & Cohen Zedek, LLP.**  
10 Rockefeller Plaza, Suite 1001  
New York, New York 10020  
Tel: (212) 632-3480  
Fax: (212) 632-3489

**BEST AVAILABLE COPY**